



PATENT
ATTORNEY'S DOCKET NO.: B0410/7284

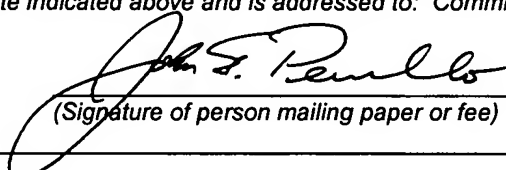
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard A. Gambale Confirmation No.: 4832
Serial No.: 10/048,205
Filed: May 2, 2002
For: IMPROVED IMPLANT ANCHOR SYSTEMS
Examiner: Suzette Jamie Jackson
Art Unit: 3738

Express Mail mailing label number EV340040010US Date of Deposit: October 23, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

John F. Perullo
(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
OCT 29 2003

TECHNOLOGY CENTER R3700

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the applicant requests consideration of this information disclosure statement.

Compliance with 37 C.F.R. §1.97

This information disclosure statement has been filed more than three months after the filing date of this application and after the mailing date of the first office action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a notice of allowance under 37 C.F.R. §1.311. The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.

10/28/2003 SSANDARA 00000020 10048205

02 FC:1806

180.00 0P

Information Cited

The applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the relative importance of the references.

**Explanation of Non-English Language References and
Remarks Concerning Other Information Cited**

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

DE 197 03 482 A1 is a German language document and a Derwent English language abstract is provided.

DE 296 19 029 U1 is a German language document and an English language translation is provided.

FR 1278695 is a French language document. An English language translation is provided.

FR 1514319 is a French language document. No Derwent English abstract is available.

FR 2 725 615-A1 is a French language document and a Derwent English abstract is provided.

RU 2026640 is a Russian language document and a Derwent English language abstract is provided.

RU 2063179 is a Russian language document and a Derwent English language abstract is provided.

Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

- The examiner consider completely the cited information, along with any

other information, in reaching a determination concerning the patentability of the present claims;

- The enclosed form PTO-1449 be signed by the examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
- The citations for the information be printed on any patent which issues from this application.

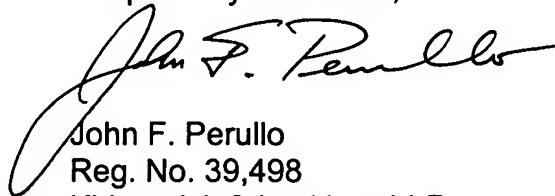
By submitting this information disclosure statement, the applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this information disclosure statement, the applicant makes no representation that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this information disclosure statement, the applicant makes no representation that the information cited in the statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.


It is understood by applicant that the foregoing information will be considered and, to the extent deemed appropriate by the examiner, will be reflected in the examiner's communication.

Respectfully submitted,



John F. Perullo
Reg. No. 39,498
Kirkpatrick & Lockhart LLP
75 State Street
Boston, Massachusetts 02109
Customer No.: 022832
Tel: (617) 261-3100
Attorneys for Applicant

Docket No.: B0410/7284
Date: October 23, 2003

Form PTO-1449 INFORMATION DISCLOSURE STATEMENT		Docket No.: B0410/7284	Serial No. 10/048,205
		Applicant: Richard A. Gambale et al.	
		Filed: May 2, 2002	Group: 3738

U.S. PATENT DOCUMENTS							
Ex.		Doc. No.	Date	Name	Class	Subcl.	Filed
		3,991,750	11/16/76	Brian H. Vickery			
		3,995,617	12/07/76	Watkins et al.			
		4,307,722	12/29/81	Joseph M. Evans. et al.			
		4,503,569	03/12/85	Charles T. Dotter			
		4,546,499	10/15/85	Zinon C. Possis			
		4,562,597	01/07/86	Zinon C. Possis et al.			
		4,580,568	04/08/86	Cesare Gianturco			
		4,582,181	04/15/86	Wilfred J. Samson			
		4,641,653	02/10/87	Arthur G. Rockey			
		4,649,922	03/17/87	Donimik M. Wiktor			
		4,655,771	04/07/87	Hans I. Wallsten			
		4,658,817	04/21/87	Roger I. Hardy et al.			
		4,665,918	05/19/87	Gilbert A. Garza et al.			
		4,681,110	07/21/87	Dominik M. Wiktor			
		4,733,665	03/29/88	Julio C. Palmaz			
		4,768,507	09/06/88	Robert E. Fischell et al.			
		4,774,949	10/04/88	Thomas J. Fogarty			
		4,813,925	03/21/89	Donald L. Anderson Jr. et al.			
		4,861,330	08/29/89	Gene Voss			
		4,889,137	12/26/89	Theodor Kolobow			
		4,904,264	2/27/90	Scheunemann			
		4,917,666	04/17/90	Ronald J. Solar			
		4,920,980	05/01/90	Stefan A. Jackowski			
		4,950,227	08/21/90	Michael A. Savin et al.			
		4,995,857	02/26/91	John R. Arnold			
		4,997,431	03/05/91	Jeffrey M. Isner et al.			
		5,040,543	08/20/91	Michael J. Badera et al.			
		5,042,486	08/27/91	Manfred Pfeiler et al.			
		5,047,028	09/10/91	Quinghua Qian			
		5,049,138	09/17/91	Raymond P. Chevalier, et al			
		5,056,517	10/15/91	Riccardo Fenici			
		5,087,243	02/11/92	Boaz Avitall			
		5,098,374	03/24/92	Erik Othel-Jacobsen et al.			
		5,114,414	05/19/92	Maurice Buchbinder			
		5,158,548	10/27/92	Lilip Lau et al.			
		5,167,614	12/01/92	Terri L. Tessman et al.			
		5,176,626	01/05/93	Nib Soehendra			
		5,180,366	01/19/93	W.T.Woods			
		5,190,058	03/02/93	Lee A. Jones et al.			
		5,256,146	10/26/93	William D. Ensminger et al.			

RECEIVED
OCT 29 2003
TECHNOLOGY CENTER R3700

U.S. PATENT DOCUMENTS							
Ex.		Doc. No.	Date	Name	Class	Subcl.	Filed
		5,266,073	11/30/93	W. Henry Wall			
		5,287,861	02/22/94	Peter J. Wilk			
		5,290,678	03/01/94	George Jackowski			
		5,312,456	05/17/94	Michael L. Reed et al.			
		5,324,325	06/28/94	Shahram Moaddeb			
		5,366,493	11/22/94	Scheiner et al.			
		5,370,683	12/06/94	Arthur B. Fontaine			
		5,372,600	12/13/94	Mordechay Beyar et al.			
		5,380,316	01/10/95	Michael Alta et al.			
		5,389,096	02/14/95	Michael Alta et al.			
		5,391,199	02/21/95	Shlomo Ben-Haim			
		5,409,004	04/25/95	Dale A. Sloan			
		5,409,019	04/25/95	Peter J. Wilk			
		5,423,885	06/13/95	Michael S. Williams			
		5,425,757	01/20/95	Jonathan Tiefenbrun et al.			
		5,429,144	06/04/95	Peter J. Wilk			
		5,441,516	11/15/95	Lixiao Wang et al.			
		5,452,733	09/26/95	Wesley D. Sterman			
		5,453,090	09/26/95	Susana Martinez et al.			
		5,458,615	10/17/95	Kurt R. Klemm			
		5,464,404	11/07/95	George S. Abela et al.			
		5,464,650	11/07/95	Eric P. Berg et al.			
		5,466,242	11/14/95	Katsushi Mori			
		5,476,505	12/19/95	Timothy A. Limon			
		5,480,422	01/02/96	Shlomo Ben-Halm			
		5,487,739	01/30/96	Patrick Aebischer et al.			
		5,514,176	05/07/96	Rodney W. Bosley, Jr. et al.			
		5,551,427	09/03/96	Peter A. Altman			
		5,551,954	09/03/96	Paul J. Buscemi et al.			
		5,562,619	10/08/96	Thomas F. Mirarchi et al.			
		5,562,922	10/08/96	Thomas L. Lambert			
		5,569,272	10/29/96	Michael L. Reed et al.			
		5,571,168	11/05/96	Connie D. Toro			
		5,593,412	01/14/97	Susana Martinez et al.			
		5,593,434	01/14/97	Michael S. Williams			
		5,602,301	02/11/97	Loren J. Field			
		5,614,206	03/25/97	Donald A. Randolph et al.			
		5,643,308	07/01/97	Barry Stephen Markman			
		5,653,756	08/05/97	Clarke et al.			
		5,655,548	08/12/97	James A. Nelson			
		5,662,124	09/02/97	Peter J. Wilk			
		5,676,850	10/14/97	Michael L. Reed			
		5,690,643	11/25/97	Bandula Wijay			
		5,735,897	04/07/98	Andrew W. Buirge			
		5,741,330	04/21/98	James H. Brauker et al.			
		5,744,515	04/28/98	David L. Clapper			
		5,755,682	05/26/98	Mark B. Knudson et al.			
		5,756,127	05/26/98	Bernard F. Grisoni et al.			

U.S. PATENT DOCUMENTS							
Ex.		Doc. No.	Date	Name	Class	Subcl.	Filed
		5,762,600	06/09/98	William Carl Bruchman et al.			
		5,769,843	06/23/98	George S. Abela et al.			
		5,782,823	07/21/98	Richard L. Mueller			
		5,785,702	07/28/98	Douglas R. Murphy et al.			
		5,792,453	08/11/98	H. Kirk Hammond et al.			
		5,797,870	08/25/98	Keith L. March et al.			
		5,807,384	09/15/98	Richard L. Mueller			
		5,810,836	09/22/98	Hany Hussein			
		5,824,071	10/20/98	James A. Nelson et al.			
		5,830,502	11/03/98	Liang C. Dong et al.			
		5,833,699	11/10/98	Timothy A.M. Chuter			
		5,840,059	11/24/98	Keith L. March et al.			
		5,899,915	05/04/99	Vahid Saadat			
		5,971,993	10/26/99	Hany Hussein et al.			
		5,980,514	11/09/99	Kupiecki et al.			
		5,980,548	11/09/99	Douglas G. Evans et al.			
		6,053,924	04/25/00	Hussein			
		6,263,880	07/24/01	Parker et al.			

FOREIGN PATENT DOCUMENTS							
Ex.		Doc. No.	Date	Name	Class	Subcl.	
		FR 1.514.319	01/11/67	M. Fred Zacouto			
		FR 2 725 615	10/17/94	De La Caffiniere Jean Yves			
		DE 19703482	01/31/97	Charles T. Dotter			
		DE 296 19 029 u1	04/10/97	Georg Kletka			
		EP 0 490 459A1	06/17/92	James R. Gross			
		EP 0 515 867 A2	12/02/92	Valluvan Jeevanandam			
		EP 0 714 640 A1	06/05/96	Richard S. Stack			
		EP 0 717 969 A1	06/26/96	Ivan Sepetka et al.			
		EP 0 732 089 A2	09/18/96	Scott C. Anderson et al.			
		EP 0 812 574 A2	12/17/97	Richard L. Mueller et al.			
		EP 0 830 873 A2	03/25/98	Atsushi Ogawa et al.			
		EP 0 876 803 A2	11/11/98	C. R. Bard, Inc.			
		EP 0 953 320 A2	11/03/99	Ronald J. Tuch			
		WO 89/01798	03/09/89	Erik Jacobsen			
		WO 91/15254	10/17/91	David Zimmon			
		WO94/05265	03/17/94	Charles B. Berde et al.			
		WO 95/33511	12/14/95	Clarence C. Lee			
		WO 96/20698	07/11/96	Robert J. Levy et al.			
		WO 97/32551	09/12/97	Hany Hussein et al.			
		WO 97/44071	11/27/97	Amnon Sudai			
		WO 97/45105	12/04/97	William L. Hunter et al.			
		WO 97/47253	12/18/97	Robert Fine			
		WO 98/05307	02/12/98	Aaron Kaplan et al.			
		WO 98/08456	03/05/98	Joshua Makower et al.			
		WO 98/16644	04/23/98	Theresa A. Deisher et al.			

FOREIGN PATENT DOCUMENTS							
Ex.		Doc. No.	Date	Name	Class	Subcl.	
		WO 98/23228	06/04/98	Terry L. Burkoth et al.			
		WO 98/25533	06/18/98	Thomas R. Hektner			
		WO 98/29148	07/09/98	Dachuan Yang et al.			
		WO 98/32859	07/30/98	Todd Rosengart et al.			
		WO 98/46115	10/22/98	Joshua Makower et al.			
		WO 99/21510	05/06/99	Douglas G. Evans			
		WO 99/38459	08/05/99	Peter J. Wilk			
		WO 99/53863	10/28/99	Guy P. Vanney et al.			
		RU 2026640 C1		Kononov			
		RU 2063179 C1		Ganichev			

OTHER DOCUMENTS (including, Author, Title, Date, Pages, Etc.)							
		A. Hassan Khazei et al., <i>Myocardial Canalization, A New Method of Myocardial Revascularization</i> , The Annals of Thoracic Surgery, Vol. 6, No. 2, pp. 163-171, August 1968					
		Alfred Goldman et al., <i>Experimental Methods for Producing a Collateral Circulation to the Heart Directly from the Left Ventricle</i> , Journals of Thoracic Surgery, Vol. 31, No. 3, pp. 364-374, March 1956					
		A. Sachinopoulou et al., <i>Invited Review Transmyocardial Revascularization</i> , Lasers in Medical Science 1995, Vol. 10, pp. 83-91, Sept. 1995					
		B. Schumacher, <i>Induction of Neoangiogenesis in Ischemic Myocardium by Human Growth Factors, First Clinical Results of a New Treatment of Coronary Heart Disease</i> , Clinical Investigation and Reports, pp 645-650, Dec. 1997					
		Charles T. Doiter, <i>Transluminally-placed Coilspring Endarterial Tube Grafts, Long-term Patency in Canine Popliteal Artery</i> , Investigative Radiology, pp. 329-332, Sept.-Oct. 1969					
		C. Massimo, et al., <i>Myocardial Revascularization By a New Method of Carrying Blood Directly from the Left Ventricular Cavity into the Coronary Circulation</i> , Journals of Thoracic Surgery, Vol. 34, No. 2, pp. 257-264, August 1957					
		Garrett Lee et al., <i>Feasibility of Intravascular Laser Irradiation for In Vivo Visualization and Therapy of Cardiocirculatory Diseases</i> , American Heart Journal, Vol. 103 No. 6, pp. 1076-1077					
		Garrett Lee et al., <i>Laser-Dissolution of Coronary Atherosclerotic Obstruction</i> , American Heart Journal, Vol. 102, No. 6, part 1, pp. 1074-1075, Dec. 1981					
		George S. Abela et al., <i>Use of Laser Radiation to Recanalize Totally Obstructed Coronary Arteries (Abstract)</i> , Journal American College Cardiology 1983;1(2):691					
		George S. Abela et al., <i>Laser Revascularization: What Are Its Prospects?</i> , Journal of Cardiovascular Medicine, pp. 977-984, Sept. 1983					
		Isam N. Anabtawi et al., <i>Experimental Evaluation of Myocardial Tunnelization as a Method of Myocardial Revascularization</i> , Journal of Thoracic and Cardiovascular Surgery, Vol. 58, No. 5, pp. 638-646, Nov. 1969					
		John E. Hershey et al., <i>Transmyocardial Puncture Revascularization</i> , Geriatrics, pp. 101-108, March 1969					
		Ladislav Kuzela et al., <i>Experimental Evaluation of Direct Transventricular Revascularization</i> , Journal of Thoracic Cardiovascular Surgery, Vol. 57, No. 6, pp. 770-773, June 1969					
		Mahmood Mirhoseini et al., <i>Myocardial Revascularization by Laser: A Clinical Report</i> ; Lasers in Surgery and Medicine 3: 241-245 (1983)					

OTHER DOCUMENTS (including, Author, Title, Date, Pages, Etc.)		
		Mahmood Mirhoseini et al., <i>Revascularization of the Heart by Laser</i> ; Journal of Microsurgery, pp. 253-260, June 1981
		Mahmood Mirhoseini et al., <i>Transventricular Revascularization by Laser</i> , Lasers in Surgery and Medicine, Vol. 2, pp. 187-198, 1982
		Mahmood Mirhoseini et al., <i>Clinical Report: Laser Myocardial Revascularization</i> , Lasers in Surgery and Medicine Vol. 6, pp. 459-461, 1986
		Mahmood Mirhoseini et al., <i>New Concepts in Revascularization of the Myocardium</i> , The Annals of Thoracic Surgery, Vol. 45, No. 4, pp. 415-420, April 1988
		Neil B. Ingels, et al., <i>Measurement of Midwall Myocardial Dynamics in Intact Man by Radiography of Surgically Implanted Markers</i> , Circulation, Vol. 52, pp. 859-867 (Nov. 1975)
		P. Walter et al., <i>Treatment of Acute Myocardial Infarction by Transmural Blood Supply from the Ventricular Cavity</i> , Department of Surgery and Department of Radiology of the Hannover Medical School, Hanover, pp 130-138, (1971)
		Peter Whittaker, et al., <i>Transmural Channels Can Protect Ischemic Tissue, Assessment of Long-term Myocardial Response to Laser and Needle-Made Channels</i> , Circulation, Vol. 93, No. 1, pp. 143-152, Jan. 1996
		P.K. Sen, et al, <i>Further Studies in Multiple Transmyocardial Acupuncture as a Method of Myocardial Revascularization</i> , Surgery, Vol. 64, No. 5, pp. 861-870, Nov. 1968
		P.K. Sen et al, <i>Transmyocardial Acupuncture, A New Approach to Myocardial Revascularization</i> ; Journal of Thoracic and Cardiovascular Surgery, Vol. 50, No. 2, pp. 181-189, August 1965
		R.I. Hardy et al., <i>Regional Myocardial Blood Flow and Cardiac Mechanics in Dog Hearts with CO₂ Laser-Induced Intramyocardial Revascularization</i> , Basic Research Cardiology, 85:179-197 (1990)
		Roque Pifarre et al., <i>Myocardial Revascularization by Transmyocardial Acupuncture: A Physiologic Impossibility</i> ; Journal of Thoracic and Cardiovascular Surgery; Vol. 58, No. 3, pp. 424-429, September 1969
		Valluvan Jeevanandam et l., <i>Myocardial Revascularization by Laser-Induced Channels</i> , Surgical Forum Vol. IVL, American College of Surgeons 76 th Clinical Congress, Vol 4, pp. 225-227, Oct. 1990

Examiner:	Date considered
-----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. An * indicates references that do not require a copy to be provided under 37 C.F.R. §1.98(d) because a copy was previously cited or submitted in a prior application, which is relied upon under 35 U.S.C. §120.